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Attorney Docket No.: 24862-501 NATL



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

LICANT:

J. STAMLER

SERIAL NUMBER:

10/521,496

EXAMINER: Not Yet Assigned

FILING DATE:

July 10, 2003

ART UNIT:

1653

For:

METHODS FOR TREATING OR PREVENTING ISCHEMIC INJURY

MAIL STOP AMENDMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

- 1. Information Disclosure Statement (2 pages), in duplicate;
- 2. Modified Form 1449/PTO (1 page), in duplicate;
- 3. Copies of cited references A1-A4 and C1-C8; and
- 4. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (212) 935-3000, New York City, New York.

The Commissioner is authorized to charge any fees that may be due to the undersigned's account, Deposit Account No. 50-0311 Ref. No. 24862-501 NATL. Please address all correspondence to customer number 35437. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

Dated: March 31, 2005

Ivor Elrifi, Reg. No. 39,529

Caryn DeHoratius, Reg. No. 45,881

Attorneys for Applicant

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NYC 293675v1

Express Mail Label No.: EV 399623 129 Attorney Docket No.: 24862-501 NATL

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INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449, as well as copies of the listed documents.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits, for the above-identified application. Accordingly, no fee or certification is believed required.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and signs the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.



J. STAMLER 10/521,496

Notwithstanding any statements by the Applicants, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested.

Please charge any fees that may be due to Deposit Account No. 50-0311, Reference No. 24862-501 NATL.

Respectfully submitted,

Dated: March 31, 2005

Ivor R. Elrifi, Reg. No. 39,529 Caryn DeHoratius, Reg. No. 45,881 Attorneys for Applicants MINTZ, LEVIN, COHN, FERRIS, GLOVSKY and POPEO, P.C. Chrysler Center

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Docket No.: 24862-501 NATL Page 1 of 1

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PTO/SB (12-97)

10/521,496

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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Application Number

INFORMATION DISCLOSURE

STATEMENT BY APPLICANT

Filing Date	07/10/03	
First Named Inventor	Stamler	
Group Art Unit	1653	
Examiner Name	Not Yet Assigned	
Attorney Docket Number	24862-501 NATL	

(use as many sheets as necessary)

U.S. PATENT DOCUMENTS							
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date
	A1	5,354,934	11/11/94	Pitt et al.			02/04/93
	A2	6,274,158	08/14/02	Zaharia Czeizler			06/17/99
	A3	2003/0134798	07/17/03	Brines et al.			01/24/03
	A4	2004/0009908	01/15/04	Stamler			07/10/02

FOREIGN PATENT DOCUMENTS					
Exam Initials	Cite No.	Foreign Patent Document Office Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No
	1				

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS					
Exam Initials	Cite No.				
	C1	Bottomley et al. (2002) Lancet Oncol. 3:145.			
	C2	Besarab et al. (1998) N. Eng. J. Med. 339 :584.			
	C3	Eiselt et al. (2000) Intl. J. Artific. Organs 23:33.			
	C4	Lefer et al. (2000) Am. J. Med. 109:315.			
	C5	International Search Report for PCT/US03/21828			
	C6	Ruschitzka et al. (2000) PNAS 97:11609.			
	C7	Maurice et al. (1999) Am. J. Physiol. 276:H1853.			
	C8	Shah et al. (2001) Circulation 103:1311.			

Serial No	is reference is not provided, filed continuation-in-part, and di	s it was previously cited by or submitted to the office in a prior application,, and relied upon for an earlier filing date under 35 U.S.C. §120	
Examiner Signature	Continuation-III-part, and di	Date Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.

Include copy of this form with next communication to applicant.